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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,223	08/17/2000	Lory Molesky	1958.2005-000	4357

58403 7590 04/05/2006

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EXAMINER

CHANNAVAJJALA, SRIRAMA T

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/641,223	Applicant(s) MOLESKY ET AL.	
	Examiner Srirama Channavajjala	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to RCE

1. Claims 1-80 are pending in this application.
2. Claims 1,11,19,29,37,47,55,63,71 have been amended [3/3/06].
3. Claims 79-80 have been added [3/3/06].
4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/3/2006 has been entered and a non-final Office action is as follows:
 5. Examiner acknowledges applicant's "REPLY" filed on 4/18/2005.
 6. Claims 1,11,19,29,37,47,55,63,71 have been amended. [11/15/2004].
 7. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/15/2004 has been entered and a non-final Office action mailed on 12/15/2004.
8. Examiner acknowledges applicants' amendment filed on 10/6/2003, paper no. # 4.
9. Claims 55-78 have been added, paper no. # 4.

Drawings

- 10.** The drawings filed on 10/6/2003, are acceptable for examination purpose.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

- 11. Claim 1,11,19,29,37,47,55,63,71 are rejected under 35 U.S.C. 101 because invention is directed to non-statutory subject matter.**

12. As to claim 1, "A method of applying interval-based adjustments to data in a database comprising: storing a plurality of raw data values.....for the series of raw data values....range specified in the series; associating the first and second database structures so the adjustment value.....

fails to constitute to practical application of an abstract idea, for example method claim 1 last step directed to merely "associating the first and second database structures so the adjustment value is applied to the series of raw data values in response to retrieval of an adjusted data value from the database to provide the adjusted data values corresponding to said raw data values and said adjustment value" falls short of tangible and necessary result, is not in the claim.

Therefore, the claim 1 is non-statutory and rejected under 101 as not being **tangible** in combination with other elements.

In the analysis above, claims 2-10, 79-80 depends from claim 1 is also rejected.

13. As to claim 11, 55, "A method of applying interval-based adjustments to data in a database, comprising: storing a plurality of raw data values.....for the time series, storing a plurality of intervals of time-based adjustment data.....data values over a specified range in the series; creating a view of database.....in response to a query for adjusted data values, using the view to apply.....to provide the adjusted data values corresponding to said raw data values and said adjustment value"

fails to constitute to practical application of an abstract idea, for example method claim 11 last step directed to merely "in response to a query for adjusted data values, using the view to apply the adjustment value to the raw data values during retrieval of the raw data from the database to provide the adjusted data values corresponding to said raw data values and said adjustment value" falls short of tangible and necessary result, is not in the claim.11

Therefore, the claim 11,55 is non-statutory and rejected under 101 as not being **tangible** in combination with other elements.

In the analysis above, claims 12-18, 27-28, 56-62, depends from claim 11 and claim 55 is also rejected

14. As to claim 19, "A system for applying interval-based adjustments to data in a database, comprising: a first database structure storinga second database

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structure, storing a plurality of intervals.... an association between the first and secondadjustment value” ***fails to constitute to practical application of an abstract idea, for example method claim 19, last step directed to merely “an association between the first and second database structures so the adjustment value is applied to the series of raw data values in response to retrieval of an adjusted data value from the database to provide the adjusted data values corresponding to said raw data values and said adjustment value” falls*** short of tangible and necessary result, is not in the claim.

Therefore, the claim 19 is non-statutory and rejected under 101 as not being **tangible** in combination with other elements.

In the analysis above, claims 20-26 depends from claim 19 is also rejected

15. As to claim 29,63 “ a system for applying interval-based adjustments to data.....a first database structure storing....a second database structure storing a plurality of intervals.....a view of the database including.....in response to a query for adjusted data values.....said adjustment value”, ***fails to constitute to practical application of an abstract idea, for example method claim 29 last step directed to merely “in response to a query for adjusted data values, using the view to apply the adjustment value to the raw data values during retrieval of the raw data from the database to provide the adjusted data values corresponding to said***

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raw data values and said adjustment value" falls short of tangible and necessary result, is not in the claim.29

Therefore, the claim 29,63 is non-statutory and rejected under 101 as not being ***tangible*** in combination with other elements.

In the analysis above, claims 30-36, 64-70, depends from claim 29, 63 is also rejected.

16. As to claim 37, "An article of manufacture comprising: a computer-readable medium; computer instructions encoded on the medium for applying interval-based.....storing a plurality of raw data values.....storing a plurality of intervals.....associating the first and second database.....said adjustment value" Is a non statutory subject matter because the claimed invention is directed towards a "computer-readable medium" that is further defined in the specification is broader to read on medium being ***"transmission medium"***...."wired or ***wireless***" [see spec page 10, line 10-13]. A wireless or wired signal is not a process, machine, manufacture, nor composition of matter. Thus, the claimed invention is considered non-statutory, further fails ***to constitute to practical application of an abstract idea, for example last step directed to merely "associating the first and second database structures so the adjustment value is applied to the series of raw data values in response tosaid adjustment value" falls*** short of tangible and necessary result, is not in the claim.37

In the analysis above, claims 38-46 depends from claim 37 is also rejected.

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It is further noted that claim 37 preamble merely directed to "An article of manufacture comprising:", examiner suggests that claim 37 preamble may be required to define the subject matter.

17. For the above discussed [claims 37-46] reason[s], claims 47-54, 71-78 are rejected because the claimed invention is directed toward "an article of manufacture comprising a computer-readable medium" that is further defined in the specification is broader to read on medium being "transmission medium"...."wired or wireless" [see spec page 10, line 10-13]. A wireless or wired signal is not a process, machine, manufacture, nor composition of matter. Thus, the claimed invention is considered to be non-statutory.

For further information on 101 Interim Guidelines, see below:

<<<http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>>>

Claim Rejections - 35 USC § 102

18. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

19. *Claims 1-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Lange, US Patent No. 6,321,212 filed on Nov 24, 1999*

20. As to claims 1,19,37, Lange teaches a system which including “storing a plurality of raw data values organized as a series in a first database structure” [fig 2, fig 4, col 90, line 57-58], plurality of raw data values are integral part of Lange’s fig 2, and fig4 because Lange teaches multiple “relational databases” particularly Trader and account databases element 261, Market returns databases element 262; Market data database, element 263, Event data databases, element 264; Risk databases element 265 and like as detailed in col 90, line 50-57, further each database is defined data structure for example in the “trader and account database” fig 4, element 261 having attributes trader ID, user name, password and like is equivalent to the database element [fig 4, element 261], further entering the data into the relational database transforming the data documenting a database structure that integrates the various measures such as data analysis [see fig 6], it is also important to note that the data analyst retain the original data records or information, data analyst should always be able to trace a result from a

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data analysis back to the original forms on which the data was collected which is integral part of Lange's teaching, therefore, raw data values are integral part of Lange's fig 4, element 261-267;

'series of raw data values' [col 91, line 6-14, fig 3], Lange specifically teaches series of trading periods for example 310,320,330,340 and like corresponds to series of raw data values as detailed in fig 3, col 91, line 6-14; 'intervals of adjustment data' corresponds to fig 3, elements 310,320,330,340 related to trading period start date element 311,321,331, and 431 followed by predetermined time intervals by each trading period's respective end date as detailed in col 91, line 8-12; 'a second database structure[fig 4, element 263] , each interval of adjustment data including an adjustment value to be applied to raw data values over a range specified in the series' [col 91, line 34-41]

'associating the first and second database structures so the adjustment value is applied to the series of raw data values in response to retrieval of an adjusted data value from the database to provide the adjusted data values corresponding to said raw data values and said adjustment value' [col 91, line 8-11, line 14-18, line 26-31], first and second database structures corresponds to Lange's relational database fig 4, element 261-267 is part of demand based adjustable return [DBAR] linkage between the records attributes from databases 261-267 more specifically, Lange teaches database structure as detailed in fig 2,fig 4 particularly, fig 4 deals with multiple database structure, therefore, first database structure corresponds to fig 4, element 261,

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second database structure corresponds to fig 4, element 262 or any two database structures from fig 4;

21. As to Claims 11,29,47,55,63,71, Lange teaches a system which including 'storing a plurality of raw data values organized as a time series in a first database structure' [fig 2-3, fig 4, col 90, line 57-58], plurality of raw data values are integral part of Lange's fig 2, and fig4 because Lange teaches multiple "relational databases" particularly Trader and account databases element 261, Market returns databases element 262; Market data database, element 263, Event data databases, element 264; Risk databases element 265 and like as detailed in col 90, line 50-57, further each database is defined data structure for example in the "trader and account database" fig 4, element 261 having attributes trader ID, user name, password and like is equivalent to the database element [fig 4, element 261] and part of the database structure, further entering the data into the relational database transforming the data documenting a database structure that integrates the various measures such as data analysis [see fig 6], it is also important to note that the data analyst retain the original data records or information, data analyst should always be able to trace a result from a data analysis back to the original forms on which the data was collected which is integral part of Lange's teaching, therefore, raw data values are integral part of Lange's fig 4, element 261-267;time series corresponds to fig 3, col 91, line 6-14;

"for the time series [fig 3], storing plurality of intervals of time-based ' [col 91, line 6-14, fig 3], Lange specifically teaches series of trading periods for example

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310,320,330,340 and like corresponds to series of raw data values as detailed in fig 3, col 91, line 6-14; storing a plurality of intervals of time-based adjustment data' corresponds to fig 3, elements 310,320,330,340 related to trading period start date element 311,321,331, and 431 followed by predetermined time intervals by each trading period's respective end date as detailed in col 91, line 8-12; 'a second database structure[fig 4, element 263] , each interval of time-based adjustment data including an adjustment value to be applied to raw data values over a range specified in the series' [col 91, line 34-41]

'creating view of the database' [col 91, line 39-42], Lange specifically teaches relational database tables, and other relational database entities and objects [col 92, line 39-42], further creating views is a common knowledge in relational database art, because create table, create view(s), create schema, create domain and like are integral part of relational database(s), also it is noted that Lange specifically suggests for example relational database software operating on the data storage devices comprises relational database [col 91, line 34-35], therefore, crate table, create view(s) are integral part of Lange's teaching. Also Lange especially teaches multiple relational database as detailed fig 4, and database structures including respective data attributes as detailed in fig 4, element261-267;

'in response to a query, for adjusted data values, using the view to apply the adjustment value to the raw data values during retrieval of the raw data from the database to provide the adjusted data values corresponding to said raw data values and said adjustment value' [col 95, line 41-49, col 98, line 47-54]

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22. As to Claims 2,12,20,30,38,48, 56,64,72, the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, Lange disclosed 'computing the adjustment value for each interval of adjustment data in response to the addition of a subsequent interval of adjustment data' [fig 3, col 91, line 7-14, col 94, line 36-41].

23. As to Claims 3,13,21,31,39,49, 57,65,73, the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, Lange disclosed 'first database and second database [see fig 2, fig 4], further Lange also teaches multiple relational databases structures having relational tables and other relational database entities and objects mapping as detailed in col 92, line 38-42.

24. As to Claims 4,40, the limitations of this claim have been noted in the rejection of Claim 1 above. In addition, Lange disclosed 'raw data values represent a time series' [fig 3, col 91, line 7-12, fig 6, element 503]

25. As to Claims 5,14,23,32,41,50, 58,66,74, the limitations of this claim have been noted in the rejection of Claim 4 above. In addition, Lange disclosed 'time series tracks financial data' [fig 6], financial data corresponds to company stock(s) event value with respect to time vs price or vice versa as detailed in fig 6.

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26. As to Claims 6-7,15-16,24-25,33-34,41-42,50-51,58-59,66-67,75-76, Lange disclosed 'financial data is a currency valuation [col 26, line 20-29], securities valuation' [col 93, line 25-32, line 51-55; col 112, line 52-55].

27. As to Claims 9-10,17-18,27-28,35-36,45-46,53-54, 61-62,69-70,77-78, Lange teaches a system which including 'adjustment data includes data for a pending adjustment' col 37, line 11-18].].

28. As to claim 79-80, Lange teaches a system which including 'adjustment value is associated with a historical event' [col 77, line 66-67, col 78, line 1-15]..

Response to Arguments

Applicant's arguments filed on 3/3/2006 with respect to Claims 1-80 have been fully considered but moot in view of the above detailed rejection.

Conclusion

The prior art made of record

- a. US Patent No. 6321212
- b. US Patent No.
- c. US Patent No.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 703/872-9306 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

SC
Patent Examiner.
March 22, 2006


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER